



Supreme Court of California  
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**NEWS RELEASE**

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**FOR IMMEDIATE RELEASE**

January 31, 2014

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## Summary of Cases Accepted and Related Actions for Week of January 27, 2014

*[This news release is issued to inform the public and the press of cases that the Supreme Court has accepted and of their general subject matter. The statement of the issue or issues in each case set out below does not necessarily reflect the view of the court, or define the specific issues that will be addressed by the court.]*

**#14-14 Department of Finance v. Commission on State Mandates, S214855.**

(B237153; 220 Cal.App.4th 740, mod. 221 Cal.App.4th 166d; Los Angeles County Superior Court; BS130730.) Petition for review after the Court of Appeal affirmed the judgment in an action for writ of administrative mandate. This case presents the following issue: Are the requirements in the National Pollutant Discharge Elimination System (NPDES) permits issued to real parties in interest by the regional water quality control board state mandates subject to reimbursement under article XIII B, section 6, subdivision (b), of the state Constitution?

**#14-15 State Dept. of Public Health v. Superior Court, S214679.** (C072325; 219 Cal.App.4th 966; Sacramento County Superior Court; 34201280001044.) Petition for review after the Court of Appeal granted a petition for preemptory writ of mandate. This case presents the following issue: In the context of a request under the Public Records Act (Gov. Code, § 6250) for citations issued by the Department of Public Health to state facilities housing the mentally ill and the developmentally disabled, can the public accessibility provisions for citations issued under the Long-Term Care Act (Health & Saf. Code, § 1417 et seq.) be reconciled with the confidentiality provisions of the Lanterman-Petris-Short Act (Welf. & Inst. Code, § 5000 et seq.) and the Lanterman Developmental Disabilities Services Act (Welf. & Inst. Code, § 4500 et seq.), and, if so, how?

**#14-16 People v. Brambila, S215176.** (G046681; nonpublished opinion; Orange County Superior Court; 07CF4182.) Petition for review after the Court of Appeal affirmed a judgment of conviction of criminal offenses. The court ordered briefing deferred pending

decision in *People v. Centeno*, S209957 (#13-52), which presents the following issue: Did the prosecutor commit misconduct in closing argument by misstating the state's burden of proof?

**#14-17 *People v. Contreras*, S215516.** (G047603; 221 Cal.App.4th 558; Orange County Superior Court; 11CF2494.) Petition for review after the Court of Appeal remanded for resentencing and otherwise affirmed a judgment of conviction of criminal offenses. The court ordered briefing deferred pending decision in *People v. Conley*, S211275 (#13-70), which presents the following issue: Does the Three Strikes Reform Act of 2012 (Pen. Code, §§ 667, subd. (e)(2)(C), 1170.12, subd. (c)(2)(C)), which reduces punishment for certain non-violent third-strike offenders, apply retroactively to a defendant who was sentenced before the Act's effective date but whose judgment was not final until after that date?

## DISPOSITION

Review in the following case was dismissed in light of *Doe v. Harris* (2013) 57 Cal.4th 64:

**#12-28 *People v. Jerry Z.*, S199289.**

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*The Supreme Court of California is the state's highest court and its decisions are binding on all other California state courts. The court's primary role is to decide matters of statewide importance and to maintain uniformity in the law throughout California by reviewing matters from the six districts of the California Courts of Appeal and the fifty-eight county superior courts (the trial courts). Among its other duties, the court also decides all capital appeals and related matters and reviews both attorney and judicial disciplinary matters.*